

Notice of Allowability

Application No.

09/607,140

Applicant(s)

ALFVIN ET AL.

Examiner

Art Unit

Narayanswamy Subramanian

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/22/2003.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This communication is in response to Applicant's communications filed on September 22, 2003. Claims 1-16 are pending in this application.

Examiner's Amendment/Comment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment must be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was give in a telephone interview with Applicant's representative Mr. Thomas Strouse (Reg. No. 53,950) on September 19, 2006.

The application has been amended as follows:

IN THE CLAIMS

Claims 15-16 have been cancelled.

Allowable Subject Matter

3. The following is a statement of reasons for the indication of allowable subject matter:
4. The prior art of record (Reele et al US Patent 5,893,037 in view of Kolling et al US Patent 6,385,595 B1) teaches a method of managing digital images captured by a customer using a combined portable telecommunications and digital image capture device, including the steps of a telecommunication service provider providing a telecommunication service to a customer and forwarding a periodic statement for telecommunication services provided to said customer for a predetermined time period; and providing a data base for receiving and storing said digital images from said customer.

Even though, the prior art of record teaches the above mentioned steps, the prior art of record fails to teach a method of managing digital images captured by a customer using a combined portable telecommunications and digital image capture device including the steps of transmitting the digital images to the service provider and telecommunication service provider providing to the customer a visual representation of the captured images taken during the predetermined time period along with the periodic statement.

For these reasons claim 1 is deemed to be allowable over the prior art of record, and claims 2-8 are allowed by dependency on an allowed claim.

The prior art of record (Reele et al US Patent 5,893,037 in view of Kolling et al US Patent 6,385,595 B1) teaches a system for managing digital images of a customer, comprising a telecommunication service provider for providing a telecommunication service to a customer, and forwarding a periodic statement for telecommunication services provided to the customer for a predetermined time period; a combined portable telecommunications and digital image capture device capable of capturing digital images; and a data base for receiving and storing the captured images transmitted from the customer.

Even though, the prior art of record teaches the above mentioned steps, the prior art of record fails to teach a system for managing digital images of a customer including the feature of transmitting the captured images to the telecommunications service provider and a computer used by the service provider for providing a visual representation of said captured images captured during the predetermined time period along with said periodic statement.

For these reasons claim 9 is deemed to be allowable over the prior art of record, and claims 10-14 are allowed by dependency on an allowed claim.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee, and to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled Comments on Statement of Reasons for allowance.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) Safai (US Patent 6,715,003 B1) (March 30, 2004) Digital Camera and Method for Communicating Digital Image and at least one address image stored in the camera to a remotely located service provider.

(b) Safai (US Patent 6,167,469) (December 26, 2000) Digital camera having display device for displaying graphical representation of user input and method for transporting the selected digital images thereof.

(c) Fredlund et al (US Patent 6,812,962 B1) (November 2, 2004) System and Apparatus for Automatically Forwarding Digital Images to a Service Provider.

(d) Fry et al (US Patent 7,120,593 B1) (October 10, 2006) Method and system for Ordering Image related Goods and Services.

(e) Parulski (US Patent 6,915,273 B1) (July 5, 2005) Method for providing customized photo products over a network using images captured from a digital camera.


(f) McIntyre et al (US Patent 7,019,862 B1) (March 28, 2006) Kit for Organizing Plurality of images.

(g) Haneda et al. (JP 2005102209 A) (April 14, 2005) Image File Apparatus.

(h) Takaba et al. (JP 2003092730 A) (March 28, 2003) Image Order Receipt Apparatus and system.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (571) 272-6751. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached at (571) 272-6777. The fax number for Formal or Official faxes and Draft to the Patent Office is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PAIR. Status information for unpublished applications is available through Private PMR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Dr. N. Subramanian
Primary Examiner

October 24, 2006